

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 48-62 are pending in this application. Claims 13-42 and 44-47 are cancelled and Claims 48-62 are added by the present response without introducing new matter. Support for additions to the claims can be found in Figures 1 and 2 and corresponding disclosure and the claims as originally filed.

In the outstanding Office Action, Claims 45-47 were rejected under 35 U.S.C. §102(e) as anticipated by Alimpich et al. (U.S. Pat. No. 6,281,896, herein “Alimpich”); Claims 13-15, 18-26, 28-30, 33-41 and 44 were rejected under 35 U.S.C. 103(a) as unpatentable over Microsoft Windows NT (herein, “WinNT”) in view of Myer et al. (U.S. Pat. No. 6,615,088, herein “Myer”); Claims 16, 17, 31 and 32 were rejected under 35 U.S.C. 103(a) as unpatentable over WinNT and Myer in view of Battat et al. (U.S. Pat. No. 5,958,012, herein “Battat”); and Claims 27 and 42 were rejected under 35 U.S.C. 103(a) as unpatentable over WinNT and Myer in view of Saito et al. (U.S. Pat. No. 6,523,696, herein “Saito”).

In view of the cancellation of Claims 13-42 and 44-47, the above-noted rejections are rendered moot. Accordingly, Applicant respectfully request that these rejections be withdrawn.

New Claim 48 recites, *inter alia*, a method for controlling network devices via a home network, comprising:

... receiving a selection of a network device by a user selecting one of the displayed icons;  
selectively displaying the menu of a selected network device, the menu including the functions which are operable with the selected network device;  
receiving a selection of a function in the selectively displayed menu; and  
controlling the network device to execute the selected function,

wherein the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device via the home network.

It should be noted that in an exemplary, non-limiting embodiment, the providing network device is the DAB Receiver 26, as depicted in Figure 1 and the selected network device is a tape recorder 34 also depicted in Figure 1. However the providing network could be any network device that includes audio/video content such as the DVD player 25 or the CD changer 24 and the selected network device could be any compatible device such as memory stick drive 29 or AV-HD 28.

Turning now to the references cited in the outstanding Action. Alimpich describes a control display which includes two different tree views. Users may transfer a selected object between tree views or to other objects within the tree view of the selected object using a drag and drop method.

However, Alimpich does not teach or suggest receiving a selection of a network device by a user selecting one of the displayed icons, selectively displaying the menu of a selected network device, the menu including the functions which are operable with the selected network device, receiving a selection of a function in the selectively displayed menu and controlling the network device to execute the selected function, where the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device via the home network.

In other words, Alimpich describes allowing users to drag and drop objects such as print jobs from the print queue to a specific printer but does not describe the menu features nor the method of receiving a selection of a network device, selectively displaying a menu,

receiving a selection of a function, controlling the network device and sending a video/audio signal.

The WinNT reference shows screenshots of the Windows NT operating system and the explorer program included in the WinNT OS. However, WinNT does not teach or suggest receiving a selection of a network device by a user selecting one of the displayed icons, selectively displaying the menu of a selected network device, the menu including the functions which are operable with the selected network device, receiving a selection of a function in the selectively displayed menu and controlling the network device to execute the selected function, where the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device via the home network.

In other words, WinNT shows a device like an Audio CD (which is not a network device), further WinNT shows that a device can be selected and a menu corresponding to the selected device is displayed (a right click window). However, WinNT does not teach or suggest receiving a selection of a function in the selectively displayed menu and controlling the network device to execute the selected function, where the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device via the home network.

Myer describes a system for controlling devices over a network however, Myer does not teach or suggest receiving a selection of a network device by a user selecting one of the displayed icons, selectively displaying the menu of a selected network device, the menu including the functions which are operable with the selected network device, receiving a selection of a function in the selectively displayed menu and controlling the network device to execute the selected function, where the execution of the selected function results in a data

stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device via the home network.

In addition, no combination of WinNT and Myer cure the above noted deficiencies of WinNT and Myer considered individually. Further none of the further cited Battat and Saito cures the above noted deficiencies of Alimpich, WinNT or Myer.

Accordingly, Applicants respectfully submit that new Claim 48 patentably distinguishes over Alimpich, WinNT, Myer, Battat and Saito considered individually or in any proper combination.

New independent Claims 55 and 62 are also presented, which recite substantially the same subject matter recited in new Claim 48, but are directed to alternative statutory classes. Accordingly, for substantially the same reasons as provided above with respect to new Claim 48, it is submitted that new independent Claims 55 and 62 also patentably define over Alimpich, WinNT, Myer, Battat and Saito considered individually or in any proper combination.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 48-62 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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